

COUNTY COMMISSIONERS

Bonnie Weber, Chairman
Bob Larkin, Vice-Chairman
Jim Galloway
David Humke
Pete Sferrazza

COUNTY MANAGER

Katy Singlaub

**ASSISTANT
DISTRICT ATTORNEY**

Melanie Foster

AGENDA

MEETING OF

WASHOE COUNTY BOARD OF COMMISSIONERS

COMMISSION CHAMBERS - 1001 E. 9th Street, Reno, Nevada

February 22, 2005

NOTE: Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. Items may be moved to the Consent Agenda at the beginning of the Board Meeting.

The Washoe County Commission Chambers are accessible to the disabled. If you require special arrangements for the meeting, please call the County Manager's Office, 328-2000, 24-hours prior to the meeting.

Monday, February 21, 2005, County Commission Caucus Meeting has been cancelled due to a County Holiday.

Public Comment during the Commission Meeting on February 22, 2005 will be limited to three minutes per person and limited to matters other than the agenda items that will be heard at the Commission Meeting. Persons are invited to submit comments in writing on agenda items and/or attend and make comment on that item at the Commission Meeting.

Pursuant to NRS 241.020, the agenda for the Commission Meeting has been posted at the following locations. Washoe County Administration Building (1001 E. 9th Street), Washoe County Courthouse Clerk's Office (Court and Virginia Streets), Washoe County Central Library (301 South Center Street) and Sparks Justice Court (630 Greenbrae Drive). At the meeting, after salute to the flag and roll call, the Board of County Commissioners may vote on the following items as the Board and, ex-officio, as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District, the Board of Fire Commissioners for the Sierra Forest Fire Protection District and/or the Board of Trustees of either the Lawton/Verdi or South Truckee Meadows General Improvement Districts.

Legislative Update - this item may be discussed at Tuesday's Board Meeting and may involve discussion by the Commission and direction to staff on various bill draft requests (BDRs). Current bills the County is tracking that may be reported on or discussed are listed under **Legislative Affairs** at "www.washoecounty.us."

Due to time constraints inherent in the legislative process, a list of specific bills that staff will seek direction from the Commission on during ***Legislative Briefing*** will be posted on the web site under Legislative Affairs at "www.washoecounty.us" by 6:00 p.m. the Friday before the Tuesday meeting and will be posted in the County Manager's Office, and at other locations where the agenda is posted, by 9 a.m. on Tuesday.

Due to the rapid pace of the legislative session, additional bills upon which comment may be sought from the Board of County Commissioners will be posted as soon as known.

Support documentation for items on the agenda, provided to the Washoe County Board of Commissioners, is available to members of the public at the County Manager's Office (1001 E. 9th St., Bldg. A, 2nd Floor, Reno, Nevada) and on the County's website at www.washoecounty.us.

Unless otherwise indicated by asterisk (*), all items on the agenda are action items upon which the Board of County Commissioners will take action.

The Washoe County Board of Commissioners may take a short break every 1 1/2 hours.

2:00 p.m.

- *1. Salute to the flag.
- *2. Roll call.
3. Approval of the agenda for the Board of County Commissioners' meeting of February 22, 2005.
- *4. Public Comments (three-minute time limit per person). At the Commission Meeting, public comment under this item will be limited to items not listed on the agenda. The Commission reserves the right to reduce the time, or limit the total time allowed for public comment if more than 10 people request to speak. Comments are to be made to the Commission as a whole.
- *5. Commissioners'/Manager's Announcements, Requests for Information, Topics for Future Agendas and Statements Relating to Items Not on the Agenda. (No discussion among Commissioners will take place on this item.)
6. Acknowledge recognition from the Nevada Recreation and Park Society to Washoe County Department of Regional Parks and Open Space for Program and Park Excellence Awards and present a Park Excellence Award to the United States Forest Service for participation with the Mt. Rose Summit Welcome Center and Trailhead on behalf of the Nevada Recreation and Park Society--Regional Parks and Open Space.
7. Consent Items.
 - A. Authorize payment from Enhanced 911 Fund to Regional Emergency Medical Services Authority for reimbursement of lease-purchase of Plant Vesta 911 Telephone Answering System from Nevada Bell [\$4,293.09 per month]--Management Services.
 - B. Accept Financial Report for Washoe County Governmental Funds for the six months ended December 31, 2004 - Unaudited--Finance.

7. C. District Health Department.

- (1) Accept cash donation to District Health Department [\$25,000] from Anthem Blue Cross and Blue Shield of Denver, Colorado in support of the ECHO smoking cessation advertising campaign; approve amendments [totaling \$25,000] in both revenue and expense to the adopted Fiscal Year 2004/05 Health Education and Promotion Program budget in donation internal order #20264; and direct Finance to make appropriate budget adjustments.
- (2) Approve purchase requisition #3x2468 issued to the Board of Regents of the University and Community College System of Nevada, Office of Sponsored Projects [\$100,000] in support of the Biodiesel Program funded by a grant from Nevada Department of Motor Vehicles (July 1, 2004 through June 30, 2005).

D. Public Works.

- (1) Approve change order to Nevada Thermal Services, LLC, for treatment and disposal of fuel oil contaminated soils at the Mills B. Lane Justice Center [\$31,237.50]; and if approved, authorize the Contract Administrator to sign the necessary documents.
- (2) Approve award of bid for Historic Seating for the Washoe County Historic Courtroom Remodel to The Kleinman Group [\$25,960.80]; and if awarded, authorize Public Works Director to execute the necessary documents.
- (3) Execute 36-month Lease Agreement between the County of Washoe and 1020 Isenberg, LLC, to extend the lease term (March 1, 2005 through February 28, 2008) for Sparks Justice Court [\$13,725 per month March 1, 2005-August 31, 2006; \$14,174.09 per month September 1, 2006-February 28, 2008].

E. Water Resources.

- (1) Accept developer-built water, sewer and reclaimed facilities dedicated to Washoe County.
- (2) Execute Agreement for Consulting Engineering Services between the County of Washoe and Aqua Hydrogeologic Consulting, LLC, [\$22,900] to assist in completing the Lemmon Valley Hydrographic Basin Study Ground Water Flow Model.
- (3) Execute Agreement for Consulting Engineering Services between the County of Washoe and ECO:LOGIC, LLC, for North Valleys Wastewater Effluent Disposal Evaluation - Phase 2 [\$61,580 - to be paid from the Regional Water Management Fund].
- (4) Execute Interlocal Agreement between the County of Washoe and Truckee Meadows Water Authority for a Pilot Commercial and Residential Irrigation Audit Program in 2005 [not to exceed \$52,000 - to be paid from the Regional Water Management Fund].

7. E. (5) Execute Agreement between the County of Washoe and Marcus G. Faust, P.C. for Congressional lobbying services [\$94,500] for a 12-month period, plus related travel expenses.

8. Water Resources.

- A. Recommendation to adopt and execute a Resolution authorizing proceedings for acquisition, by eminent domain, of a portion of APN 089-460-03 for a flood control channel; Spanish Spring Floodplain Detention Facility. (Continued from January 11, 2005 Commission Meeting.)
- B. Recommendation to approve Resolution of Intent, proposing the issuance of, and authorizing the publication of notices relating to General Obligation (Limited Tax) Water Bonds (additionally secured by pledged revenues) Series 2005 in the maximum principal amount of \$15,000,000 for the purpose of financing Longley Lane Water Treatment Facility; providing the manner, form and contents of the notices thereof; providing other matters properly related thereto; and providing the effective date hereof.

9. Recommendation to authorize purchase of Dell/EMC co-branded Storage Area Networking (SAN) hardware and software [\$150,000] for building a back-up to County's existing SAN environment--Purchasing/Information Technology.
10. Discussion concerning Sparks Centennial and Resolution for consideration of financial support by Washoe County, which may include contribution--Community Relations.
11. Recommendation to execute a Resolution concerning Washoe County, Nevada Special Assessment District No. 35 (Rhodes Road) and Washoe County, Nevada, Special Assessment District No. 36 (Evergreen Hills Drive) in the maximum aggregate principal amount of \$534,235; establishing the rate of interest payable on deferred installments of assessments in the district; ratifying, approving and confirming all action previously taken by the County concerning the district; and providing the effective date hereof--Public Works.

12. Regional Parks and Open Space.

- A. Recommendation to consider a request from Great Basin Outdoor School for a 50% rate reduction of the 2005 approved fees for overnight lodge use at Camp WeChMe for conducting a residential outdoor recreation school at the facility.

12. B. Consider proposals regarding the sale of water rights and if desired authorize Washoe County Department of Regional Parks & Open Space to sell from the total amount of 194.03 acre feet of water rights available, (amount to be determined by Board) acre feet to the Washoe County School District and (amount to be determined by Board) acre feet to the University of Nevada, Reno, at the appraised value of \$15,000 per acre foot, as allowed under NRS 277.050, and authorize the Department to sell (amount to be determined by Board) acre feet, the balance of the remaining water rights at public auction not to exceed a total of 194.03 acre feet of water rights available.

AND

Further recommendation to approve the Resolution for the Sale with a sale date of March 8, 2005 at 5:30 p.m. for (Board to insert the number of acre feet for public auction) acre feet, the remaining acre feet of ground water rights not sold to the Washoe County School District or the University of Nevada, Reno, being a portion of Permit No. 66958 and 66959 as changed by applications 71195 and 71194 respectively, at Sierra Sage Golf Course, with a minimum bid price of \$15,000 per acre foot, and authorize chairman to sign upon presentation the purchase agreement(s). (Possibly continued from February 15, 2005 Commission Meeting.)

13. Possible action on the nomination of Mayor Cashell to the Truckee Meadows Water Authority Board, and possible action on alternatives for the 7th member to include, but not be limited to, the nomination of a County representative as the 7th member, or other proposal--Assistant County Manager Poché.
14. Discussion and possible direction to staff concerning changes to Washoe County Code and/or County policy addressing nuisances in unincorporated Washoe County--Assistant County Manager Poché.
15. Consideration of options for the process to appoint a successor to the current Public Defender upon his retirement, and possible direction to staff--Assistant County Manager Berkich.
16. Discussion and possible approval of 2005 Federal Lobbying Priorities--Management Services.

4:00 p.m. 17. South Truckee Meadows General Improvement District.

See separate agenda.

18. Discussion and possible direction regarding 2002 Regional Plan Settlements, Regional Plan litigation and potential litigation and associated issues, including reports on actions of the Regional Planning Commission and Regional Planning Governing Board.
19. Reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to (these may include, but not be limited to, Regional Transportation Commission, Reno-Sparks Convention & Visitors Authority, Debt Management Commission, District Board of Health, Truckee Meadows Water Authority, Organizational Effectiveness Committee, Investment Management Committee, Citizen Advisory Boards).

5:30 p.m. 20. **Public Hearings.** (Note: The items listed under this heading only will be heard at or after the noted time. In no case will they be heard before the stated time. Due to public testimony and discussion, time expended on the items in this category can vary.)

A. **Second Readings and Adoptions of Ordinances.**

- (1) Amending the Washoe County schedule of rates and charges for provision of water service by Washoe County within certain areas of Washoe County; requiring the Department of Water Resources, Utility Services Division, to submit billings to all water users within the certain areas; requiring payment thereof; and providing procedures for its enforcement. This Ordinance repeals Ordinance No. 1189 (Bill No. 1440)--Water Resources.

AND IF ADOPTED

Approve related Business Impact Statement and direct County Clerk to make the analysis available upon request;

AND

Approve and execute a Resolution adopting an Ordinance amending the Washoe County schedule of rates and charges for water service within certain areas of Washoe County, providing procedures for its enforcement, and repealing Ordinance No. 1189.

- (2) Amending the Washoe County Code by revising provisions establishing the hours of operation for the Office of the Commissioner of Civil Marriages; providing for the observance of holidays and for operation of the office on Valentine's Day; and other matters properly relating thereto. (Bill No. 1441).

B. **Three appeals on Special Use Permit Case SW04-028 (Tracy to Silverlake Transmission Line)--Community Development.**

To consider three appeals of the planning commission's decision on Special Use Permit Case SW04-028 (Tracy to Silverlake Transmission Line) which imposed a condition of approval for the transmission line to be placed underground along three different segments of the route. The Planning Commission approved the Special Use Permit with a condition that three sections of the transmission line route shall be placed underground. Two of the underground sections are located in the Spanish Springs Area Plan and one section is located in the North Valleys Area Plan.

- **Appeal Case Number AX05-001**, filed by the applicant Sierra Pacific Power Company is appealing for all of the transmission line to be placed above ground.
- **Appeal Case Number AX05-002**, filed by the Red Rock Estates Property Owner's Association is appealing for a denial of the special use permit or for the approval with the condition of placing the transmission line underground along the property line of the Red Rock Estates, along Red Rock Road and along American Flat Road.

5:30 p.m. 20. B.

- **Appeal Case Number AX05-003**, filed by James Stewart who owns six lots at Red Rock Road in the Red Rock Estates, is appealing to place the transmission lines underground along these adjoining subject properties.

The proposed transmission line extends through three different area plans, originating within the East Truckee Canyon Area Plan, continuing through the Spanish Springs Area Plan and terminating in the North Valleys Area Plan. The proposed power line and substations are located in the East Truckee Canyon, Spanish Springs and North Valleys Citizen Advisory Boards boundaries and Washoe County Commission District Numbers 4 and 5. The proposed power line will traverse through unincorporated Washoe County, through the City of Sparks Sphere of Influence and through the City of Reno and will require approval of a special use permit by all three jurisdictions. Additionally, the requested transmission line is a project of regional significance and shall require conformance review by the Truckee Meadows Regional Planning Commission. Sierra Pacific Power Company has not secured the necessary easements for the proposed route, but, if approved, will require easements through the following properties: (Assessor's Parcel Numbers: 076-100-17, 18; 076-371-47; 076-380-01, 02, 19, 21 through 28, 33 through 44, 49, 50, 52 through 56, 62 through 68; 076-390-44, 45, 70 through 73; 076-401-04, 05, 08 through 11, 14, 15, 18 through 25, 39, 41; 076-402-01 through 04, 06 through 15, 17 through 24; 076-890-27 through 32; 076-900-01, 02; 079-331-01, 02, 04 through 07; 079-332-09 through 11, 19, 20, 23, 25 through 33; 079-430-02, 03, 06, 07; 080-412-02; 080-710-01, 04 through 07, 09 through 12, 14; 080-721-08; 080-740-02; 086-161-01 through 05, 16; 086-162-07 through 10; 086-163-01 through 10; 086-171-11; 086-172-01, 02, 05 through 09, 11; 086-173-01, 06, 10, 11; 086-174-01, 02; 086-181-06 through 15; 086-191-01 through 03, 05 through 07; 086-192-12; 086-203-05, 19 through 26; 086-204-01; 086-205-02, 03; 086-211-04 through 06, 10, 12, 13, 15, 16; 086-231-03 through 06, 08 through 10; 086-232-31; 086-240-08, 09; 086-250-01, 02, 04, 05, 35, 63, 65, 68, 70 through 74, 78; 086-260-02, 06, 07, 09, 10, 12, 13; 086-270-06, 07; 086-340-02, 04 through 06, 21, 22, 28, 29; 086-350-15, 16, 22, 23, 26, 37 through 40, 43 through 086-360-01 through 13, 15, 17 through 24; 086-370-01, 03 through 14; 087-021-15 through 18, 20, 23; 087-050-04 through 06, 08, 10 through 12, 14 through 16; 087-060-05, 06, 09 through 12, 15 through 18, 20 through 23, 25, 26; 087-330-07 through 09, 16 through 18; 087-361-01 through 04; 087-364-06; 087-365-01 through 07; 087-366-01 through 13; 087-371-01 through 06; 087-373-11 through 22, 25 through 36, 39 through 44; 087-390-02, 07, 08; 089-010-09, 13; 089-020-01, 02, 10; 089-030-03 through 06; 089-100-01, 02, 14, 15, 28; 089-110-02, 03, 05 through 10, 12 through 14; 089-160-01 through 04, 51 through 53; 089-170-02; 090-030-14; 090-040-06, 07, 14, 17 through 19, 23, 24; 090-051-05 through 09; 090-052-01 through 07; 090-090-10; 090-141-03, 05, 07, 09, 10; 090-142-02, 08, 09, 12 through 14; 530-280-36; 530-460-02, 03, 06, 07, 09; 530-470-01, 04, 09; 530-491-01 through 04, 06, 07; 530-492-02; 554-010-01, 02).

END OF SCHEDULED PUBLIC HEARINGS

21. Possible Closed Session for the purpose of discussing negotiations with Employee Organizations. (Note: This item may be discussed at the Monday Caucus Meeting or Tuesday Board Meeting.)
22. Emergency Items.